

The Hon. Jamal N. Whitehead

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSEPH D. BERGEVIN,

Defendant.

NO. CR24-124-JNW

[~~PROPOSED~~]

**ORDER OF FORFEITURE**

THIS MATTER comes before the Court on the United States' Motion for Order of Forfeiture ("Motion") seeking to forfeit, to the United States, Defendant Joseph D. Bergevin's interest in the following:

- A sum of money (also known as a forfeiture money judgment) in the amount of \$3,554,054.48, reflecting the proceeds Defendant Bergevin personally obtained from the offense of *Wire Fraud*, in violation of 18 U.S.C. § 1343.

The Court, having reviewed the United States' Motion, as well as the other papers and pleadings filed in this matter, hereby FINDS entry of an Order of Forfeiture is appropriate because:

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- 1       •     The proceeds of *Wire Fraud*, in violation of 18 U.S.C. § 1343, are  
2       forfeitable pursuant to 18 U.S.C. § 981(a)(1)(C), by way of 28 U.S.C.  
3       § 2461(c);
- 4       •     In his Plea Agreement, Defendant agreed to forfeit, pursuant to 18 U.S.C.  
5       § 981(a)(1)(C), by way of 28 U.S.C. § 2461(c), the proceeds he obtained  
6       from the commission of *Wire Fraud*, to which he entered a guilty plea  
7       (Dkt. No. 8, ¶ 14);
- 8       •     In his Plea Agreement, Defendant admitted he personally obtained proceeds  
9       from the *Wire Fraud* of at least \$3,554,054.48 (*Id.*, ¶¶ 9, 14).
- 10      •     The forfeiture of this sum of money is personal to Defendant Bergevin and,  
11      pursuant to Federal Rule of Criminal Procedure (“Fed. R. Crim. P.”)  
12      32.2(c)(1), no third-party ancillary process is required before forfeiting it.

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14       NOW, THEREFORE, THE COURT ORDERS:

15       1)     Pursuant to 18 U.S.C. § 981(a)(1)(C), by way of 28 U.S.C. § 2461(c), and  
16      his Plea Agreement, Defendant Bergevin’s interest in a sum of money in the amount of  
17      \$3,554,054.48 is fully and finally forfeited, in its entirety, to the United States;

18       2)     Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) – (B), this Order will become  
19      final as to the Defendant at the time he is sentenced; it will be made part of the sentence;  
20      and, it will be included in the judgment;

21       3)     No right, title, or interest in the identified sum of money exists in any party  
22      other than the United States;

23       4)     Pursuant to Fed. R. Crim. P. 32.2(e), in order to satisfy this Order forfeiting  
24      the sum of money, in whole or in part, the United States may move to amend this Order,  
25      at any time, to include substitute property having a value not to exceed \$3,554,054.48;  
26      and

27      //

1           5)     The Court will retain jurisdiction in this case for the purpose of enforcing  
2 this Order, as necessary.

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4           DATED this 29th day of October, 2024.

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8           Jamal N. Whitehead  
9           United States District Judge

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14 Presented by:

15           s/ Krista K. Bush  
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